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May 6, 2021

Judge Lorna G. Schofield

United States District Court

Southern District of New York **SO ORDERED**

500 Pearl Street

New York, New York 10007 **Dated: May 7, 2021**

New York, New York

RE: Florida Dredge and Dock Inc. v. Blake Marine Group LLC,
Case No.: 1:21-cv-02341

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Honorable Judge Schofield,

The undersigned represents the Plaintiff, Florida Dredge and Dock Inc., in the above-captioned proceeding which is presently set for a telephonic Conference on May 13, 2021 at 11:00 a.m. By way of this correspondence, I respectfully request that said conference be adjourned because the Defendant has failed to respond to the Complaint [DE 1]. This is the first request for adjournment.

By way of brief background, Plaintiff, Florida Dredge and Dock Inc. ("Florida Dredge"), initiated this action on March 17, 2021. The Complaint [DE 1] asserts a single cause of action against Defendant, Blake Marine Group LLC ("Blake Marine"), for Breach of Maritime Contract based on the Defendant's failure to pay the Plaintiff \$159,950.00.

Blake Marine was served with the Complaint [DE 1] and Summons [DE 4] on April 10, 2021. Accordingly, the Defendant had until May 3, 2021 to file a responsive pleading. To date, Blake Marine has failed to enter a notice of appearance, file a responsive pleading or otherwise defend the claim raised in the Complaint. On May 5, 2021, the Clerk of Court approved Plaintiff's request for a Clerk's Certificate of Default [DE 10].

Plaintiff intends to file a Motion for Final Default Judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure. The undersigned respectfully submits that the Defendant's failure to defend this action and the forthcoming motion for default judgment alleviate the need for an Initial Conference and resulting scheduling order. As such, Plaintiff respectfully requests that this Honorable Court indefinitely adjourn the telephone Conference presently scheduled for May 13, 2021. Alternatively, Florida Dredge respectfully requests that the Conference be continued by thirty (30) days so that the motion for default can be filed and considered by this Honorable Court before resources are spent on a conference which will likely prove unnecessary.

Thank you for your time.

Respectfully submitted,

Gino J. Butto

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